

James D. Wood, St. Bar. No. 106936
Attorney at Law
3675 Mount Diablo Boulevard, Suite 250
Lafayette, California 94549-3775
Tel. (925) 284-9663
Fax. (925) 283-9663

Attorney for Debtor Edward S. Ehee

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re

EDWARD SEWTON EHEE,

Debtor.

Case No. 07-40126T

(Involuntary Chapter 7)

ANSWER TO INVOLUNTARY PETITION

11 U.S.C. §303; Fed.R.Bankr.P. 1011(b)

[No Hearing Set]

EDWARD SEWTON EHEE, ("Ehee") answers the Involuntary Petition filed in this case dated January 12, 2007 (the "Petition") by ROOSEVELT FUND, L.P. (the "Petitioner") as follows:

ANSWER

1. Answering paragraph 1 of the Allegations contained in the Petition, Ehee denies that Petitioner is eligible to file the Petition pursuant to 11 U.S.C. Sect. 303(b).

2. Answering paragraph 2 of the Allegations contained in the Petition, Ehee admits that he is a person against whom an order for relief may be entered under title 11 of the United States Code except to the extent of the disability imposed by 11 U.S.C. Sect. 109(h). Ehee denies that he has complied with 11 U.S.C. Sect. 109(h). Ehee therefore, denies that: (a) Ehee is

1 currently eligible to be a debtor under Title 11 of the United States Code, and (b) that Ehee is a
2 person against whom an order for relief may be entered under 11 U.S.C. Sect. 303(b).

3 3. Answering paragraph 3(a) of the Allegations contained in the Petition that "The
4 debtor is generally not paying such debtor's debts as they become due unless such debts are the
5 subject of a bona fide dispute as to liability or amount", Ehee denies each and every allegation
6 contained therein.
7

8 4. Answering the allegations included in the Addendum attached to the Petition
9 ("Addendum"), Ehee admits that: (a) the Petitioner has filed the civil action described in the
10 Addendum, (b) Petitioner has sought and obtained a clerk's default therein against Ehee under
11 Fed.R.Civ.P. 55 subject to Ehee's right to obtain relief there from, (c) the SEC has filed the civil
12 action described in the Addendum, and (d) Petitioner has filed involuntary petitions against
13 Compass Fund Management, L.L.C. and Compass West Fund, L.P. Except as so admitted, Ehee
14 denies each and every allegation contained in the Addendum.
15

16 5. Nothing in this Answer constitutes a waiver of any constitutional privilege. Ehee
17 asserts his constitutional rights under the Fifth Amendment to not respond further.

18 Wherefore, Ehee prays that the Court deny Petitioner's request for an order for relief and
19 grant such other relief to debtor as is proper.
20

21
22 DATED: February 28, 2007

/s/ James D. Wood

James D. Wood
Attorney for EDWARD S. EHEE

23
24 AnswerToInvoluntary070228_01.doc 2/28/07 JDW

PROOF OF SERVICE/ CERTIFICATE OF SERVICE

Court: U.S. Bankruptcy Court N.D. Cal., Oakland Div.

Case: In re Edward Sewton Ehee, Case No. 07-40126T

Date of Service: February 28, 2007

I, the undersigned say:

I am and was at the time of the service hereinafter mentioned a citizen of the United States, over the age of eighteen years and not a party to the within entitled action or proceeding.

I am the member of the Bar or employed by the member of the bar named below. I am familiar with the regular mail collection and processing practices of the business. The business address is: James D. Wood, Attorney at Law, 3675 Mt. Diablo Blvd., Ste. 250, Lafayette, CA 94549-3775.

On the date shown above, I served a copy of the documents listed below or on the attached exhibit on the parties in this action either by placing a true copy thereof in envelope(s) addressed as shown below or on the attached exhibit and on the same day, pursuant to ordinary business practices, by then sealing said envelope and depositing same for collection and mailing, with postage thereon fully prepaid, with the United States Postal Service at Half Moon Bay, California or by arranging for the alternative delivery mode described below. There is delivery service by United States mail at the place so addressed and/or there is a regular communication by mail between the place of mailing and the place so addressed.

Parties Served

Petitioning Creditor:

James S. Monroe
Law Offices of Nixon Peabody
2 Embarcadero Center #2700
San Francisco, CA 94111-3996

U.S. Trustee :

Office of the U.S. Trustee /Oak
Office of the U.S. Trustee
1301 Clay St. #690N
Oakland, CA 94612

Request for Special Notice:

The Wolf Firm, A Law Corporation
Attorneys for EMC Mortgage Corporation
38 Corporate Park
Irvine, CA 92606

Document(s) Served

ANSWER TO INVOLUNTARY PETITION

I declare under penalty of perjury that the foregoing is true and correct. Executed within the United States of America on February 28, 2007.

/s/ James D. Wood

James D. Wood

POS01.doc 2/28/07 JDW